

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MARK J. GATTUSO, SR., et al.,

Plaintiffs,

v.

NEW JERSEY DEPARTMENT OF HUMAN
SERVICES, et al.,

Defendants.

HON. JEROME B. SIMANDLE

Civil No. 11-5763 (JBS/AMD)

ORDER

This matter having come before the Court upon the motion of Defendants New Jersey Department of Human Services and New Jersey Division of Disability Services [Docket Item 18], and upon Plaintiffs' motion to strike the certification of Anita Lubrano [Docket Item 23]; the Court having considered the submissions of the parties in support thereof and opposition thereto; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS this 25th day of **July, 2012** hereby

ORDERED that Defendants' motion to dismiss for lack of subject matter jurisdiction is **GRANTED**; and it is further

ORDERED that Plaintiffs' motion to strike is **DENIED AS MOOT**; and it is further

ORDERED that Plaintiffs' Complaint shall be **DISMISSED** **WITHOUT PREJUDICE**, and it is further

ORDERED that the Clerk shall terminate the action upon the docket.

s/ Jerome B. Simandle

JEROME B. SIMANDLE

Chief U.S. District Judge